

1
2
3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 JUDY NEWBY, et al.,

Case No. 2:15-cv-02482-RFB-PAL

8 Plaintiffs,

ORDER

9 v.

10 WINNEBAGO INDUSTRIES, INC.,

11 Defendant.

12 The court conducted a scheduling conference on March 14, 2016, regarding the parties'
13 proposed Discovery Plan and Scheduling Order (Dkt. #8) requesting special scheduling review.
14 Scott Knight appeared on behalf of Plaintiffs, and Michael Edwards appeared on behalf of
15 Defendant. The court canvassed counsel concerning their request for twice the amount of time
16 deemed presumptively reasonable for discovery pursuant to LR 26(e)(1) was requested.

17 This is a breach of warranty/contract case arising out of Plaintiffs' purchase of a
18 Winnebago that is alleged to have multiple defects requiring it to be in the shop for service and
19 repairs covered under warranty for extended periods of time. Plaintiffs purchased the
20 Winnebago for approximately \$68, 000 in 2014 and seek damages for loss of use, out of pocket
21 expenses and statutory attorneys' fees allowed by the Magnuson Moss Warranty Act. The parties
22 expect to take 7-10 depositions in Nevada, Arizona an Iowa, and may designate experts. The
23 parties have not established good cause for a year to complete discovery. This is a case that can
24 and should be prepared for resolution with limited tailored discovery to avoid having the
25 attorneys' fees and costs exceed what the Plaintiffs may recover on the merits of their claim if
26 they succeed.

27 However, as the parties have not yet initiated discovery, the court will enter a standard
28 discovery plan calculated from the date of the hearing.

IT IS ORDERED:

1. The parties proposed Discovery Plan and Scheduling Order (Dkt. #8) requesting special scheduling review is **DENIED**, and the following discovery plan and scheduling order dates shall apply:

- a. Last date to complete discovery: **September 12, 2016**
- b. Last date to amend pleadings and add parties: **June 13, 2016.**
- c. Last date to file interim status report: **July 13, 2016.**
- d. Last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2): **July 13, 2016.**
- e. Last date to disclose rebuttal experts: **August 12, 2016.**
- f. Last date to file dispositive motions: **October 12, 2016.**
- g. Last date to file joint pretrial order: **November 14, 2016.** In the event dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after a decision of the dispositive motions.

2. The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the pretrial order.

3. Applications to extend any dates set by this discovery plan and scheduling order shall, in addition to satisfying the requirements of LR 6-1, be supported by a showing of good cause for the extension. All motions or stipulations to extend discovery shall be received no later than **4:00 p.m., August 22, 2016**, and shall fully comply with the requirements of LR 26-4.

DATED this 14th day of March, 2016.


PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE